

STATE OF MICHIGAN  
IN THE SUPREME COURT  
Appeal from the Michigan Court of Appeals  
[O'Connell, P.J., Sawyer, J., and Talbot, J.]

PATRICK J. KENNEY,

Plaintiff-Appellant,

v

WARDEN RAYMOND BOOKER

Defendant-Appellee.

---

Supreme Court No. 145116

Court of Appeals No. 304900

Wayne Circuit Court  
No. 11-003828-AH

**The appeal involves a ruling  
that a provision of the  
Constitution, a statute, rule or  
regulation, or other State  
governmental action is invalid.**

SUPPLEMENTAL BRIEFING  
ORAL ARGUMENT REQUESTED

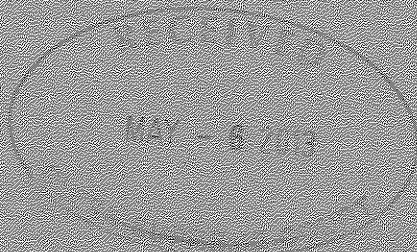
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Dated: May 6, 2013

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## **SUPPLEMENTAL QUESTIONS PRESENTED**

In its April 29, 2013 order, the Court requested that the parties submit additional briefing “regarding the impact of the following [three] events on the Court’s analysis of the legal issues presented in this case and whether the case has, or soon may, become moot”:

1. [A]t the parole revocation hearing, plaintiff pleaded guilty to violating parole by failing to report to his parole officer;
2. [A]fter plaintiff’s parole was revoked and subsequently reinstated, plaintiff failed to report to his parole officer on at least two occasions resulting in additional independent bases for revocation; and
3. [W]hen plaintiff was most recently released on parole, on June 1, 2011, he was paroled for a 24-month term (Appellant’s Appendix at 88a-90a), which would terminate on June 1, 2013.

## INTRODUCTION

This Court should dismiss the appeal.

Although Kenney's parole discharge date is now April 1, 2014, the only reason he remains on parole is because he absconded from parole three times, requiring an extension of his parole for 258 days. In the absence of these violations, his parole discharge date would have been June 1, 2013.

Kenney's act of absconding while on parole serves as a waiver of his right to prosecute the appeal under the "fugitive disentitlement doctrine." The doctrine operates as a matter of equity to punish a defendant who seeks to challenge the validity of the limit on his liberty while simultaneously violating the law. The principle applies here. Kenney comes to this Court with unclean hands.

Moreover, the dismissal of the case dovetails the mootness doctrine, because this case would have been mooted on the date of his discharge, which was scheduled for June 1, 2013. Kenney should not be able to prosecute the appeal where any claim that he has a justiciable claim is based on his absconder misconduct that extended the date of his parole discharge. Because the Court would have rightly dismissed the case on mootness grounds if his discharge date remained June 1, 2013, the result should not change based on his actions of repeated absconding from parole. Thus, the mootness doctrine supports dismissing this case as well.



## SUPPLEMENTAL FACTS AND PROCEEDINGS

Kenney filed his application for leave with this Court on May 5, 2012.

Kenney had received relief in Wayne Circuit Court in habeas corpus, collaterally challenging the February 15, 2011 parole order denying Kenney's parole for two years. Appellant's Appendix, p 50a. In the parole case, Kenney pled guilty to failing to report. *Id.* On March 11, 2011, Kenney was granted a term of parole beginning June 1, 2011, with a term of parole for two years, which would have ended on June 1, 2013.

After filing his appeal, however, Kenney was an absconder three times:

Abscond: May 16, 2012 through June 14, 2012 (29 days)

Abscond: June 30, 2012 through January 29, 2013 (183 days)

Abscond March 11, 2013 through April 26, 2013 (46 days)

[Attachment A, Time Review & Disposition.]

The total amount of time for these three periods in which Kenney was on absconder status is 258 days. Kenney was violated as an absconder for failing to report and changing his address without permission. See Attachment B, Parole Violation Reports. This is known as "dead time" for the Department of Corrections, and extends the parole period by tolling for these time periods. Tolling for 258 days yields a new date of February 14, 2014. The MDOC Time Review & Disposition sheet had February 14, 2014 listed as the new date. *Id.* (see handwritten date). The Offender Tracking Information System (OTIS) identifies Kenney's new parole discharge date as April 1, 2014. See Attachment C, OTIS Report. The MDOC confirms that April 1, 2014 is the correct new discharge date.

## ARGUMENT

- I. This Court should dismiss the appeal because Kenney forfeited his right to prosecute the appeal by absconding from parole on three different occasions during its pendency.**

**A. Standard of Review**

This Court reviews issues of law *de novo*. *People v Kowalski*, 492 Mich 106, 119; 821 NW2d 14 (2012).

**B. Analysis**

The conclusion that this Court should dismiss the appeal is supported both by the law on mootness and on the fugitive disentitlement doctrine. It comports with common sense. A prisoner cannot both challenge the legality of his parole status under principles of equity in habeas, when he simultaneously repeatedly violates the terms of supervision. If Kenney had properly complied with his parole, he would have been discharged on June 1, 2013. This Court should dismiss the appeal.

The general rule for mootness is that this Court will not reach moot questions or declare principles of law that have no practical legal effect unless the issue is one of public significance that is likely to recur but evade judicial review. *Federated Publications, Inc v City of Lansing*, 467 Mich 98, 112; 649 NW2d 383 (2002), overruled on other grounds, *Herald Co, Inc v Eastern Michigan University Bd of Regents*, 475 Mich 463, 467; 719 NW2d 19 (2006). See also *In re Midland Publishing Co. Inc.*, 420 Mich 148, 152, n 2, 362 NW2d 580 (1984). Where a parolee is discharged from parole, the matter is mooted because there is no further relief

that this Court could provide. *Ex parte Halley*, 327 Mich 222, 223; 41 NW2d 354 (1950) (“Having been granted his release from imprisonment, an order of the nature sought by him in his application for discharge on habeas corpus and certiorari would serve no useful purpose.”).

The original date of parole discharge was June 1, 2013, which would moot the question because there would be no relief after that date that this Court could provide. Kenney’s parole, however, has been tolled for three different violations on which he went on “absconder” status for failing to report and where his parole officer did not his whereabouts. Attachment B, Parole Violation Reports. Being an absconder for a parolee is the equivalent of being a fugitive for a convict.

This is significant because of the appellate doctrine in which the appellate court “may dismiss the appeal of a defendant who is a fugitive during the pendency of his appeal.” *United States v Ortega-Rodriguez*, 507 US 234, 239 (1993). This Court discussed the rule in a dissent to an order in *Friend v Friend*, 486 Mich 1035, 1036-1037; 783 NW2d 122 (2010) (Corrigan, J., dissenting, joined by Young, J. and Markman, J.).<sup>1</sup> The rationale of this rule is based on two principles: (1) waiver or abandonment; and (2) deterrence. The concept of the defendant losing his right to prosecute the appeal based on his conduct was explained in the U.S. Supreme Court decision of *Molinaro v New Jersey*, 396 US 365, 366 (1970):

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<sup>1</sup> In another order in the same case, Justice Corrigan noted that this doctrine has been applied to civil cases. *Friend v Friend*, 485 Mich 1019, 1021; 776 NW2d 306 (2010) (Corrigan, J., concurring), citing *Colombe v Carlson*, 757 NW2d 537 (ND, 2008).



No persuasive reason exists why this Court should proceed to adjudicate the merits of a criminal case after the convicted defendant who has sought review escapes from the restraints placed upon him pursuant to the conviction. While such an escape does not strip the case of its character as an adjudicable case or controversy, we believe it disentitles the defendant to call upon the resources of the Court for determination of his claims.

The U.S. Supreme Court elaborated on this point, explaining that the “disentitlement” theory construes the “defendant’s flight during the pendency of his appeal as tantamount to waiver or abandonment.” *Ortega-Rodriguez*, 507 U.S. at 240. For the other principle of deterrence, the point is an obvious one that such a principle “deters escapes by prisoners” by punishing them for their fugitive conduct. Each of the principles is applicable here. It would make no sense that Kenney could avoid mooted his claim by taking the unlawful action of absconding from his parole and thereby extending his discharge date.

There is also an independent, second reason that this Court should dismiss the appeal. The parole board had the authority to impose the very same punishment by law, see MCL 791.240a(10), on Kenney from his admission that he violated his parole by failing to report as it did for the gun charges. Appellant’s Appendix 50a. Given that Kenney was sentenced to two felony counts with sentences of 1½-to-15 years in prison on April 11, 2002, the jurisdiction to impose additional prison time extends to 2017. Kenney has failed to show that the parole board acted outside of its authority in extending his parole at the time that it found this violation, Appellant’s Appendix 50a, where it had the authority to impose this very punishment

This Court should dismiss the appeal.

## CONCLUSION AND RELIEF REQUESTED

This Court should dismiss the appeal.

Respectfully submitted,

Bill Schuette  
Attorney General

John J. Bursch (P57679)  
Solicitor General  
Counsel of Record

Richard A. Bandstra (P31928)  
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May 6, 2013

## Attachment A

Michigan Department of Corrections  
**TIME REVIEW & DISPOSITION**  
 REV. 1/05

CSX-482

NUMBER <b>256535</b>	NAME <b>Kenney, Patrick Joseph</b>	INSTITUTION <b>PRF</b>	LOCK <b>4A:43L:Bot:A</b>	REVIEW TYPE <b>DEAD TIME</b>	
REASON FOR ISSUE <input type="checkbox"/> Forfeiture <input type="checkbox"/> Restoration <input type="checkbox"/> Grant <input checked="" type="checkbox"/> Dead Time <input type="checkbox"/> Other		LAST REV. DATE	CREDIT THROUGH DATE MO.   YR.		
COMMENTS:   ABSCOND: 05/16/2012   IN CUSTODY: 06/14/2012   DEAD TIME: 29 DAYS ABSCOND: 07/30/2012   IN CUSTODY: 01/29/2013   DEAD TIME: 183 DAYS ABSCOND: 03/11/2013   IN CUSTODY: 04/26/2013   DEAD TIME: 46 DAYS					
Total number of days automatically not earned since last review as a result of major misconduct				(Min.)   (Max.)	
Total number of previously forfeited days which are available for restoration				(Min.)   (Max.)	
Total number of previously forfeited/not earned days which are not available for restoration				(Min.)   (Max.)	
Total number of special disciplinary credit or good time days available to be awarded				(Min.)   (Max.)	
Total number of days available for forfeiture as of violation date listed below				(Min.)   (Max.)	
<b>GRANTING OF RESTORATION</b>		<b>FORFEITURE</b>			
Committee Members & Titles		Major Misconducts Charge(s)	Date of Violation	Number of Days Forfeited   MIN MAX	
COMMITTEE RECOMMENDATIONS AWARD   DAYS   RESTORE   DAYS					
<b>Warden's Decision:</b> Because of your behavior since your last review,   days of special disciplinary credits/good time are awarded. Because of your behavior since your last review,   days of previously forfeited time are restored. Because of your above listed major misconduct(s), I am ordering (Min.)   (Max.)   days of earned credits to be forfeited. Total number of days forfeited/not earned to date (Min.)   (Max.)					
Warden's Signature		Date	Dep. Director's Signature (for restoration only)	Date	
TERM		DISC. TIME ACCRUED	TIME COMPUTATIONS		
		CAL MIN	SGT/PMI/TIS	RGT/AMI/TIS	SGT/PMX/TIS   RGT/AMX/TIS
#6 B-1y - 15y			ABS	ABS	09/28/2019   09/28/2019
#5 B-1y6m - 15y		07/28/2003	04/14/2003	04/14/2003	ABS   08/08/2017
Date of Report		Report Prepared by			
04/30/2013		KIMBERLY S. BRUNNER			

Date changes resulting from forfeitures, restorations, awards and grants are computed and shown only on the controlling minimum and maximum sentences, though effective toward all existing active sentences.

Distribution: Record Office File, Prisoner, Central Office File, Counselor, Worksheet

2/14/14

## Attachment B

MICHIGAN DEPARTMENT OF CORRECTIONS  
PAROLE VIOLATION REPORT

CFJ-110  
Rev. 6/01

INSTITUTION:	MDOC Nbr.:	NAME (Last, First)	REPORT DATE:	PREPARED BY:	PHONE:
Oakland/Pontiac/Parole	256535	Kenney, Patrick Joseph	03/20/2013	JERMANE M MIMS	(248) 253-2440
TYPE OF REPORT:			RECOMMENDATION:		
<input checked="" type="checkbox"/> TECHNICAL <input type="checkbox"/> FELONY			<input type="checkbox"/> SUPPLEMENTAL <input type="checkbox"/> SPECIAL INVESTIGATION		
			Issue #1 Parole Warrant		
VIOLATION DATE:	ACTION WHICH CONSTITUTED VIOLATION ON THIS DATE:				ARREST DATE:
03/11/2013	01 - Contact field agent				
DATE AVAILABLE:		PLACE OF CUSTODY:			
N/A					
DISTRIBUTION:					
PAROLE TERM:	06/01/2011	TO	12/30/2013	PMX:	01/13/2019
				AMX:	01/13/2019
SUPERVISION LEVEL:	SA Parole Medium Unemployed		RISK LEVELS:	Property Risk Middle/Assaultive Risk Low	

**PROOFS OF VIOLATION**

**Count 1, Violation of Condition 01, Contact field agent:** Agent J. Mims can attest on or about 3/11/13 you failed to make your regularly scheduled report to your field agent or to make any subsequent report.

**Count 2, Violation of Condition 02, Not move:** Agent J. Mims can attest on or about 3/14/13 you changed your residence from 42340 8 Mile Road Apt 210 Northville, MI without the permission of your field agent.

**NARRATIVE OF VIOLATION**

**Violation:** Subject was verbally told in person to report back to this writer (Parole Agent J. Mims) on 3/11/13. On 3/11/13 subject failed to report or contact this writer regarding his missed appointment. On 3/14/13 writer completed a home call to subject's residence, it appeared as if he is not longer living at his listed parole address.

**Efforts to Locate (For Absconder Cases Only):** On 3/14/13 this writer completed a no contact home call at 42340 8 Mile Road Apt 210 in Northville, MI. Writer did not locate offender Patrick Kenney name on door buzzer tag. On 3/15/13 I contacted subject mother who stated that he had not heard from subject and she would notify him if she talked to him that writer was looking for him. Writer attempted contact with subject's sister but was unable to reach her for contact. On 3/19/13 Spot Check Agents Brooks and Nash completed a home call with no contact. A criminal LEIN check was completed with no results of new criminal behavior or warrants. Subject was not located via Vinelink check. Subject is not currently employed at this time.

**RECOMMENDATION**

A #1 warrant is recommended to aid in the apprehension of subject.

MICHIGAN DEPARTMENT OF CORRECTIONS  
PAROLE VIOLATION REPORT

CFJ-110  
Rev. 6/01

Reviewed by: Heather Attar

Addendum (If applicable):



MICHIGAN DEPARTMENT OF CORRECTIONS  
PAROLE VIOLATION REPORT

CFJ-110  
Rev. 6/01

INSTITUTION:	MDOC Nbr.:	NAME (Last, First)	REPORT DATE:	PREPARED BY:	PHONE:
Oakland/Waterford /Parole/REP	256535	Kenney, Patrick Joseph	05/17/2012	JERMANE M MIMS	(248) 681-1705
TYPE OF REPORT:			RECOMMENDATION:		
<input checked="" type="checkbox"/> TECHNICAL <input type="checkbox"/> SUPPLEMENTAL <input type="checkbox"/> FELONY <input type="checkbox"/> SPECIAL INVESTIGATION			Issue #1 Parole Warrant		
VIOLATION DATE:	ACTION WHICH CONSTITUTED VIOLATION ON THIS DATE:				ARREST DATE:
05/16/2012	01 - Contact field agent				
DATE AVAILABLE:		PLACE OF CUSTODY:			
N/A					
DISTRIBUTION:					
PAROLE TERM:	06/01/2011	TO	06/01/2013	PMX:	01/13/2019
				AMX:	01/13/2019
SUPERVISION LEVEL:	Parole Minimum In-Person Unemployed		RISK LEVELS:	Property Risk Middle/Assaultive Risk Low	

**PROOFS OF VIOLATION**

**Count 1, Violation of Condition 01, Contact field agent:** On or about 5/16/12 you failed to make your regularly scheduled report to your field agent or to make any subsequent report.

**Count 2, Violation of Condition 04, Conduct:** On or about 4/26/12 you were involved in behavior which constitutes a violation of State law. You took items from Hiller's Market 425 N. Center Northville, without paying for them.

**Count 3, Violation of Condition 01, Contact field agent:** On or about 4/28/12 you failed to notify your field agent, within the required 24-hour period, that you have had police contact or had been arrested by the Northville Police Department on 4/28/12.

**SUMMARY OF PAROLE**

**Orientation:** Subject paroled on 06/01/2011 to a term of 24 months due to expire on 06/01/2013. He was sentenced by 6th Circuit Court to a term of 1y 6m-15yrs for the charge of Controlled Substance (Habitual Offender 4th). On 6th Circuit Court docket 2000-174364-FH He was sentenced by 6th Circuit Court to a term of prison on a probation violation. He was orientated to the rules, special conditions 2.0, 2.1, 4.16, and 7.1, financial obligations, grievance procedure and reporting instructions on his initial report date of 06/01/2011 by Antoinette Hughes. Subject was monitored on a Minimum In-person level of supervision. His Compas Violence Risk is 3 and Recidivism 2.

**Adjustment:** Subject's adjustment has been fair. Within three days of paroling, the offender relapsed on Heroin. He was placed into residential treatment program CPI around 6/14/11. He was then violated for absconding on 6/20/11 and failure to complete treatment programming. Writer began supervising subject around 9/6/2011. Subject has reported as required to the parole office. On 11/16/11 subject tested positive for low levels of alcohol in his system during a breathalyzer test. Subject continues to owe \$600 in state supervision fees.

MICHIGAN DEPARTMENT OF CORRECTIONS  
PAROLE VIOLATION REPORT

CFJ-110  
Rev. 6/01

**Home Placement:** Subject's last approved home placement is at 42340 8 Mile Road, Northville where he lives by himself.

**Employment:** Subject is unemployed however he is independently wealthy through his inheritance per parolee.

**NARRATIVE OF VIOLATION**

**Violation:** On 5/16/12 Kinney agreed that he would come into the office to discuss his police contact. Kinney has not contacted this writer since 5/16/12 when we spoke on the phone. On 4/26/12 subject was expected of taking items from Hiller's Market in Northville. Assistant Manager Richard Sherman confronted subject outside the store. When Richard attempted to grab the items from subject's coat he fell and so did the items that included a stolen bag of M & M's, small cheesecake and a pop were recovered. Kinney dropped his cell phone as he was trying to escape. Sgt. Krueger from Northville Police Department was able to make an appointment with Kenney on 4/29/12. Kenney stated that on a dare from a couple of friends that were waiting back at his apartment he had taken the items and was very regretful of his decision. Kenney did not report any police contact within 24 hours to this writer or the parole office. No charges have been filed at this time.

**Efforts to Locate (For Absconder Cases Only):** No contact made with offender at his residence by Agent P. Young on 5/21/12. According to mailboxes, Offender resides in Apt 210. Agent Young made contact with a seasonal tenant who stated the apartments are corporate styled appts, which is primarily rented out to people for temporary living. Tenant stated he does not know the offender, but has seen lots of traffic coming from subject's apartment. Neighbor stated he has observed offender driving a Chevy Sports car, with a Florida License plate. Agent Young was unable to gain access to the building, and there was no visible mailbox on the outside of the building. Therefore, no reporting instructions were able to be left for the offender.

**RECOMMENDATION**

It is recommended that a #1 warrant be placed on subject to aid in the apprehension of the subject.

**Addendum (If applicable):**

MICHIGAN DEPARTMENT OF CORRECTIONS  
PAROLE VIOLATION REPORT

CFJ-110  
Rev. 6/01

INSTITUTION:	MDOC Nbr.:	NAME (Last, First)	REPORT DATE:	PREPARED BY:	PHONE:
Oakland/Pontiac/Parole	256535	Kenney, Patrick Joseph	12/27/2012	JERMANE M MIMS	(248) 253-2440
TYPE OF REPORT:			RECOMMENDATION:		
<input checked="" type="checkbox"/> TECHNICAL <input type="checkbox"/> SUPPLEMENTAL <input type="checkbox"/> FELONY <input type="checkbox"/> SPECIAL INVESTIGATION			Issue #1 Parole Warrant		
VIOLATION DATE:	ACTION WHICH CONSTITUTED VIOLATION ON THIS DATE:				ARREST DATE:
7/30/12	01 - Contact field agent				N/A
DATE AVAILABLE:	PLACE OF CUSTODY:				
N/A	AT LARGE IN THE COMMUNITY				
DISTRIBUTION:	PPN:PRU:FILE:PV Specialist				
PAROLE TERM:	06/01/2011	TO	06/30/2013	PMX:	01/13/2019
				AMX:	01/13/2019
SUPERVISION LEVEL:	Parole Absconder Warrant Status		RISK LEVELS:	Property Risk Middle/Assaultive Risk Low	

**PROOFS OF VIOLATION**

**Count 1, Violation of Condition 01, Contact field agent:** On or about 7/30/2012 you failed to make your regularly scheduled report to your field agent or to make any subsequent report.

**Count 2, Violation of Condition 10 and Special Condition 2.0, Not use alcohol:** On or about 10/23/2012 you failed to comply with the written Order of Parole Board 2.0 by being in possession of alcohol.

**Count 3, Violation of Condition 04, Conduct:** On or about 10/23/2012 you were involved in behavior which constitutes a violation of State law. You were in possession of open alcohol in a motor vehicle.

**Count 4, Violation of Condition 01, Contact field agent:** On or about 10/23/2012 you failed to notify your field agent, within the required 24-hour period, that you had police contact or had been arrested by the Detroit Police Department on or about 10/23/2012.

**NARRATIVE OF VIOLATION**

**Violation:** Parolee Patrick Kenney was released from IDRP on 7/18/12 and reported to the parole office and was advised to return on 7/30/12. On 7/23/12 writer (Agent J. Mims) contacted subject and advised that he needed to report to the parole office and complete an SAT. On or about 10/23/12 according to LEIN subject has an active warrant for open alcohol in a vehicle for failure to appear. Subject did not report police contact to this writer or the details of the contact within a 24 hour period.

MICHIGAN DEPARTMENT OF CORRECTIONS  
PAROLE VIOLATION REPORT

CFJ-110  
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**Efforts to Locate (For Absconder Cases Only):** Writer Mims followed up on tips from Janet Marshick parolees sister stating that subject was residing at the Victory Inn Motel in Detroit. The information was passed on to ARU Hiroskey and Agent Brooks on 12/26/12. They followed up at the Motel and they attempted to contact Kenney but, he took off running and tore his coat while jumping a gate. Follow-up was made 12/27/12 by this writer (Mims) at the motel with the worker at the desk who stated he recognized Patrick Kenney from prior contact. He stated that subject is more than likely involved in drug usage and hangs out with prostitutes. He has not responded to phone calls regarding for him to report to the office. Vinelink and LEIN were checked for any new arrests. A LEIN checked revealed warrants out of 17th District Court in Redford for a misdemeanor DWLS. There are active warrants out of 36th District for misdemeanor drug violations and open alcohol. Parolee had no current number or email address.

**RECOMMENDATION**

A #1 warrant is recommended to aid in the apprehension of the subject.

Approved: Supervisor Carolynn Wilson

## Attachment C



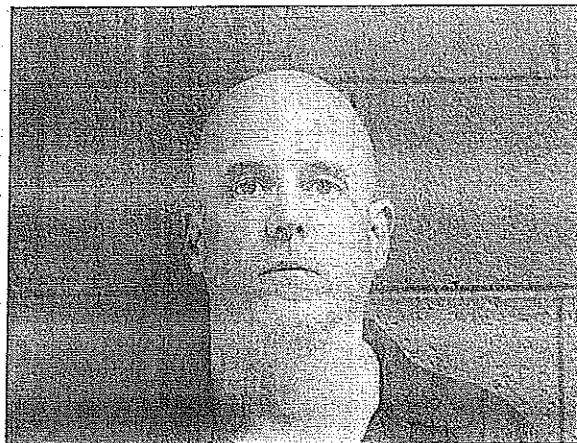
# Corrections



Michigan  
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[Contact MDOC](#) | [OTIS Help](#) | [MDOC's Most Wanted](#) | [Glossary](#) | [Disclaimer](#) | [MDOC Home](#)

## BIOGRAPHICAL INFORMATION



MDOC Number: 256535

SID Number: 1453353X

Name: PATRICK JOSEPH KENNEY

Racial Identification: White

Gender: Male

Hair: Brown

Eyes: Brown

Height: 6' 0"

Weight: 180 lbs.

Date of Birth: 05/10/1959 (53)

Image Date: 6/15/2012

PATRICK JOSEPH KENNEY

## MDOC STATUS

Current Status: Parolee

Supervision Begin Date: 06/01/2011

Assigned Location: Detroit Reentry Center

Supervision Discharge Date: 04/01/2014

Security Level:

Date Paroled: 06/01/2011

## ALIASES

PATRICK KENNEY

PATRICK J KENNEY

PATRICK J KENNY

PATRICK JOESPH KENNEY

PATRICK JOSEPH KENNEY

PATRICK JOSEPH KENNY

## MARKS, SCARS & TATTOOS

Other- None

Scar- Left Back -

Tattoo- Upper Right Arm

## PRISON SENTENCES

### ACTIVE

#### Sentence 1

Offense: Controlled Substance-Possess  
Narcotic/Cocaine < 25 Grams

Minimum Sentence: 1 year 0 months 0 days

MCL#: 333.74032A5 / 769.12

Maximum Sentence: 15 years 0 months

Court File#: 2002183323FH

Date of Offense: 01/30/2002

County: Oakland

Date of Sentence: 04/11/2002

Conviction Type: Plea

**Sentence 2**

Offense:	Controlled Substance-Possess Narcotic/Cocaine < 25 Grams	Minimum Sentence:	1 year 6 months 0 days
MCL#:	<u>333.74032A5 / 769.12</u>	Maximum Sentence:	15 years 0 months
Court File#:	2000174364FH	Date of Offense:	02/13/2000
County:	Oakland	Date of Sentence:	02/01/2002
Conviction Type:	Plea		

**INACTIVE****Sentence 1**

Offense:	Uttering & Publishing	Minimum Sentence:	2 years 0 months 0 days
MCL#:	<u>750.249</u>	Maximum Sentence:	14 years 0 months
Court File#:	96144457FH	Date of Offense:	02/15/1995
County:	Oakland	Date of Sentence:	05/05/1997
Conviction Type:	Plea	Discharge Date:	08/06/2000
		Discharge Reason:	Offender Discharge

**Sentence 2**

Offense:	Obtain Money Over \$100 False Pretenses	Minimum Sentence:	2 years 0 months 0 days
MCL#:	<u>750.218B</u>	Maximum Sentence:	10 years 0 months
Court File#:	96144456FH	Date of Offense:	02/21/1995
County:	Oakland	Date of Sentence:	05/05/1997
Conviction Type:	Plea	Discharge Date:	08/06/2000
		Discharge Reason:	Offender Discharge

**Sentence 3**

Offense:	Uttering & Publishing	Minimum Sentence:	2 years 0 months 0 days
MCL#:	<u>750.249</u>	Maximum Sentence:	10 years 0 months
Court File#:	96144456FH	Date of Offense:	02/21/1995
County:	Oakland	Date of Sentence:	05/05/1997
Conviction Type:	Plea	Discharge Date:	08/06/2000
		Discharge Reason:	Offender Discharge

**Sentence 4**

Offense:	Obtain Money Over \$100 False Pretenses	Minimum Sentence:	2 years 0 months 0 days
MCL#:	<u>750.218B</u>	Maximum Sentence:	10 years 0 months
Court File#:	96144455FH	Date of Offense:	02/22/1995
County:	Oakland	Date of Sentence:	05/05/1997
Conviction Type:	Plea	Discharge Date:	08/06/2000
		Discharge Reason:	Offender Discharge

**PROBATION SENTENCES****ACTIVE**

None



## INACTIVE

## Sentence 1

Offense:	Controlled Substance-Possess Narcotic/Cocaine < 25 Grams	Minimum Sentence:	
MCL#:	333.74032A5 / 769.12	Maximum Sentence:	2 years 0 months
Court File#:	00-174364-FH	Date of Offense:	02/13/2000
County:	Oakland	Date of Sentence:	04/13/2001
Conviction Type:	7411	Discharge Date:	02/01/2002
		Discharge Reason:	Probation Violator Technical Violation

## SUPERVISION CONDITIONS

- 01 - Contact agent no later than first business day after release
- 02 - Must not change residence
- 2.0 - Not use/possess alcohol/intoxicants or in place served
- 2.1 - Complete Sub Abuse or Re-Entry Program as referred by agent
- 03 - Must not leave state
- 3.5 - Treatment disclosure to parole agent
- 04 - Not engage in any behavior that constitutes a violation
- 4.16 - Obey all court orders
- 05 - Comply with alcohol and drug testing ordered by field agent
- 06 - Not associate with anyone you know to have a felony record
- 07 - Must not own or possess a firearm
- 7.1 - Pay cost of treatment
- 08 - Must not own, possess or use any object as a weapon
- 09 - Make earnest efforts to find and maintain employment
- 10 - Must comply w/special conditions, written and verbal orders

